



March 3, 1972
NUMBER 2000.11

ASD (ISA)

Department of Defense Directive

SUBJECT Procedures for Handling Requests for Political Asylum
and Temporary Refuge

Refs: (a) Department of State Regulation, "Requests by Foreign
Nationals for Political Asylum," January 4, 1972
(b) Relevant portions of the Protocol Relating to the
Status of Refugees (T. I.A.S. 6577), "which incor-
porates by Reference the substantive articles of
the 1951 Convention Relating to the Status of
Refugees"

1. PURPOSE AND APPLICABILITY

- A.** This Directive implements the provisions of references (a) and (b) within the Department of Defense. It establishes uniform policies and procedures and assigns responsibilities for handling requests by foreign nationals for political asylum in the United States or for temporary refuge.
- B.** The provisions of this Directive apply to all DOD Components (Military Departments, Defense Agencies having field activities within the territorial jurisdiction of a foreign nation, Unified and Specified Commands).
- c.** Its provisions do not modify the special guidance referred to in enclosure 1.

II. DEFINITIONS

- A. Political Asylum.** Protection and sanctuary granted by the United States Government within its territorial jurisdiction or on the high seas to a foreign national who applies for such protection because of persecution or fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion.

- B. Temporary Refuge. Protection afforded for humanitarian reasons to a foreign national in a Department of Defense shore installation; facility, or military vessel within the territorial jurisdiction of a foreign nation or on the high seas, under conditions of urgency in order to secure the life or safety of that person against imminent danger, such as pursuit by a mob.

III. NATIONAL POLICY

A. Political Asylum.

1. Article 33 of the Convention Relating to the Status of Refugees, provides:

"1. No Contracting State shall expel or return a refugee in any manner whatsoever to the frontier of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.

"2. The benefit of the present provision may not, however, be claimed by a refugee whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of that country."

The Treaty obligation of the United States under the foregoing provision is geographically limited to its territorial jurisdiction and the high seas, and is not applicable to persons seeking political asylum at United States instrumentalities stationed or temporarily located in the territorial jurisdiction of a foreign country.

2. Foreign nationals within United States territorial jurisdiction or on the high seas who request that they be granted political asylum in the United States shall be given a full opportunity to have their requests considered on their merits.
3. It is the general policy of the United States not to grant political asylum at its units or installations within the territorial jurisdiction of a foreign country to nationals of that country or nationals of a third state. Requests made in a

foreign country by nationals of a third state for political asylum in the United States are normally governed by the principle that the granting of political asylum is the right and responsibility of the government of the country in whose territory the request is made. Coordination with the host government concerning such requests will be affected through the appropriate American Embassy.

- B. Temporary Refuge. It is the policy of the United States to grant temporary refuge in a foreign country to nationals of that country and nationals of a third state, and on the high seas to the nationals of any country.

iv. PROCEDURES

DOD Components will handle requests from foreign nationals for political asylum or temporary refuge as follows:

- A. In territory under exclusive United States jurisdiction (including territorial seas, the Commonwealth of Puerto Rico, possessions, and territories under United States administration) and on the high seas:

1. General

- a. An applicant for political asylum will be received in a Department of Defense facility or on board a military vessel.
- b. A person seeking political asylum will be surrendered to foreign jurisdiction only at the personal direction of the Secretary of the Military Department or the Director of the Defense Agency concerned. In addition, persons seeking political asylum should be afforded every reasonable care and protection permitted by the circumstances.

2. Reports

- a. Immediately, upon receipt of a request from a foreign national for political asylum or an indication that a request is imminent, the DOD Component concerned will report the incident through appropriate channels by the fastest available means, as follows:

- (1) To the Military Department concerned in accordance with internal instructions, or
- (2) To the Assistant Secretary of Defense (International Security Affairs) in accordance with Defense Agency instructions.

- b. The Military Departments concerned, or the ASD(ISA) will take immediate necessary action to notify the Operations officer at the Operations Center of the Department of State (Telephone Area Code 202/632-1512).
- c. Telephone notification should be confirmed as soon as possible with an IMMEDIATE precedence message to the Military Department or the ASD (ISA) as appropriate, with an information copy to the Secretary of State.
- d. Subsequently, the information specified in enclosure 2 will be forwarded in accordance with procedures prescribed.

3. Processing Requests

The United States Immigration and Naturalization Service (INS), Department of Justice, has primary responsibility for processing requests for political asylum within the United States, the Commonwealth of Puerto Rico, and U.S. possessions.

- a. All requests for political asylum will be reported to the nearest field office of INS (see enclosure 3) including all details known.
- b. As soon thereafter as feasible arrangements should be made with either the field officer or the INS Headquarters, if more convenient to transfer the asylum seeker to INS.

4. Protection

The DOD Component concerned will be responsible for the protection of the asylum seeker pending his transfer to INS subject to the following:

- a. The primary responsibility for providing protection rests with a local State or Federal law enforcement or security agency having exclusive or concurrent jurisdiction over the place.
- b. If there is any indication of an attempt to abduct or otherwise harm the asylum seeker, an appropriate law enforcement or security agency should be requested to provide security for the individual.
- c. Interim measures will be taken to assure the safety of the individual against attempts at forcible repatriation, but no greater force will be used than necessary to protect the individual.
- b. Any inquiries from interested foreign authorities will be met by the senior official present with a response that the case has been referred to higher authorities for instruction.

In territories under foreign jurisdiction (including foreign territorial seas):

1. Temporary Refuge

a. General

- (1) The Senior official present at the DOD Component shore installation or facility or on board any military vessel may grant temporary refuge (see 11.B., above) to a foreign national, upon his request.
- (2) Temporary refuge will be terminated only when directed by higher authority through the Secretary of the Military Department or the Director of the Defense Agency concerned.
- (3) Persons whose temporary refuge is terminated will be released to the protection of the authorities designated in the message authorizing release.

b. Reporting

- (1) The official granting temporary refuge will report the circumstances (as specified in

enclosure 2) by IMMEDIATE precedence message to the Military Department concerned or, as appropriate to the Assistant Secretary of Defense, International Security Affairs in accordance with Defense Agency Instructions with an "information copy to the appropriate American Embassy or Consular office.

- (2) A request by foreign authorities for return of custody of a person under the protection of temporary refuge will be reported to the Military Department concerned, or as appropriate to the Assistant Secretary of Defense, International Security Affairs in accordance with Defense Agency Instructions by IMMEDIATE precedence message (with information copy to the appropriate American Embassy) stating all of the attendant circumstances of, and authority asserted for, the request. The requesting foreign authorities will be informed that the case has been referred to higher authorities for instructions. A final decision will normally be made on a priority basis within 24 hours.

2. Political Asylum (see also V. D.4. , below)

a. General

- (1) Political asylum may not be granted in any shore installation or facility of a Department of Defense Component or on board any military aircraft or vessel within the territorial jurisdiction of a foreign country.
- (2) Foreign nationals who request assistance in forwarding requests for political asylum in the United States will be advised to apply in person at the nearest American Embassy or Consulate, subject to the internal procedures published by the Chief of Mission.
- (3) Requests for political asylum received by Attache personnel and other military personnel serving under the direction of a Chief of Diplomatic Mission will be governed by the appropriate instructions applicable to the diplomatic mission.

- b. Reporting. The official receiving the request for assistance in obtaining asylum will report the circumstances by immediate precedence message to the Military Department concerned or, as appropriate, to the Assistant Secretary of Defense, International Security Affairs in accordance with Defense Agency instructions with an information copy to the appropriate American Embassy or Consular office. This report should include so much of the information specified in enclosure 2 as is available.
- c. Public Release. No information concerning a request for political asylum or temporary refuge will be released to the public or to the media without the prior approval of the Assistant Secretary of Defense for Public Affairs. Immediately upon making a public release or acknowledgement to representatives of the media (with such consent) the DOD Components concerned will report the information to the Operations Center of the Department of State.

V. RESPONSIBILITIES

- A. The Assistant Secretary of Defense (International Security Affairs) is assigned overall responsibility for supervision and coordination of the policies and procedures prescribed herein.
- B. The Secretaries of the Military Departments and the Directors of Defense Agencies having field activities will:
 - 1. Designate an agent to exercise staff supervision of the implementation of policies and procedures prescribed herein with respect to cases arising within their respective departments or agencies.
 - 2. Establish a point of contact and appropriate channels and procedures for the expeditious processing and disposition of requests for political asylum or temporary refuge which are made to organizational elements under their jurisdiction (except the Panama Canal, Ryukyu Islands and areas under the jurisdiction of the Unified and Specified Commands (see C. and D., below).
 - 3. Establish appropriate channels for coordination with the Department of State and the Immigration and Naturalization Service (INS), Department of Justice, concerning

the expeditious processing and disposition of individual cases arising within their areas of jurisdiction.

4. Issue implementing regulations which are consistent with the provisions of this Directive.
- c. The Secretary of the Army will develop and publish uniform DOD-wide guidance for use by personnel of the Military Departments and field offices of Defense Agencies located in the Panama Canal zone and, until reversion, the Ryukyu islands in handling requests for political asylum and temporary refuge made by foreign nationals within these areas.
- D. Commanders of Unified and Specified Commands will:
 1. Develop, coordinate (see 4., below) and publish uniform DOD-wide guidance for use by personnel of the Military Departments and Defense Agencies with field offices located within the geographical area on handling requests for political asylum and temporary refuge made by foreign nationals within areas under U.S. exclusive jurisdiction or U.S. administration.
 2. Supervise and monitor compliance with the provisions of this Directive with respect to cases arising in foreign countries.
 3. Designate, as appropriate, a coordinating authority, with respect to policies, procedures, and guidance applicable in foreign countries.
 4. Take action to coordinate procedures and the special guidance (see enclosure 1) applicable in particular foreign countries under Section IV.B.2. , or because of exceptional circumstances.

V1. REPORTING REQUIREMENTS

Record keeping and reporting requirements prescribed herein are assigned Report Control Symbol DD-ISA(AR)1 161.

VII. EFFECTIVE DATE AND IMPLEMENTATION

This Directive is effective immediately. Two copies of implementing instructions shall be forwarded to the

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Assistant Secretary of Defense (International Security Affairs)
within 90 Days.


Deputy Secretary of Defense

Enclosures - 3

1. Special Instructions
2. Reporting Data
3. INS Field Offices

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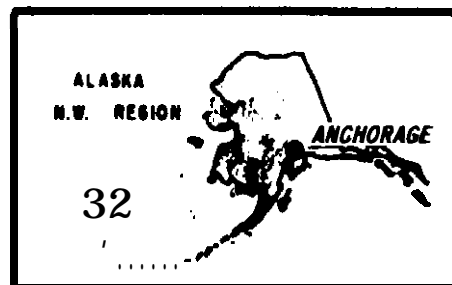
Guidance not replaced by DOD Directive 2000.11

1. Chapter 10, Part IV, Volume 1, DIAM 58-11, 20 Aug 1968 (S),
Subject: Defense Human Resources Intelligence Collection
Management Manual (U).
2. JOINT STATE/DEFENSE MESSAGE to AMEMBASSY, BONN, US MISSION,
BERLIN, CINCEUR, CINCUSAREUR, No. 046027, 190022Z Mar 1971 (s),
Subject: U.S. Asylum Policy (U).
3. SM-876-62, dated 7 Aug 62 (S), Subject: Policy relating to
Sine-Soviet Aircraft Landing on Airfields Where US Military
Operational Units are Based (U).
4. CNO message 201207Z Aug 1971, Subject: Fence Jumpers (U).

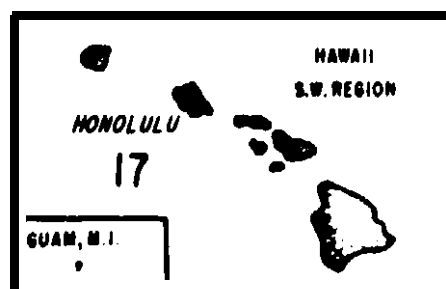
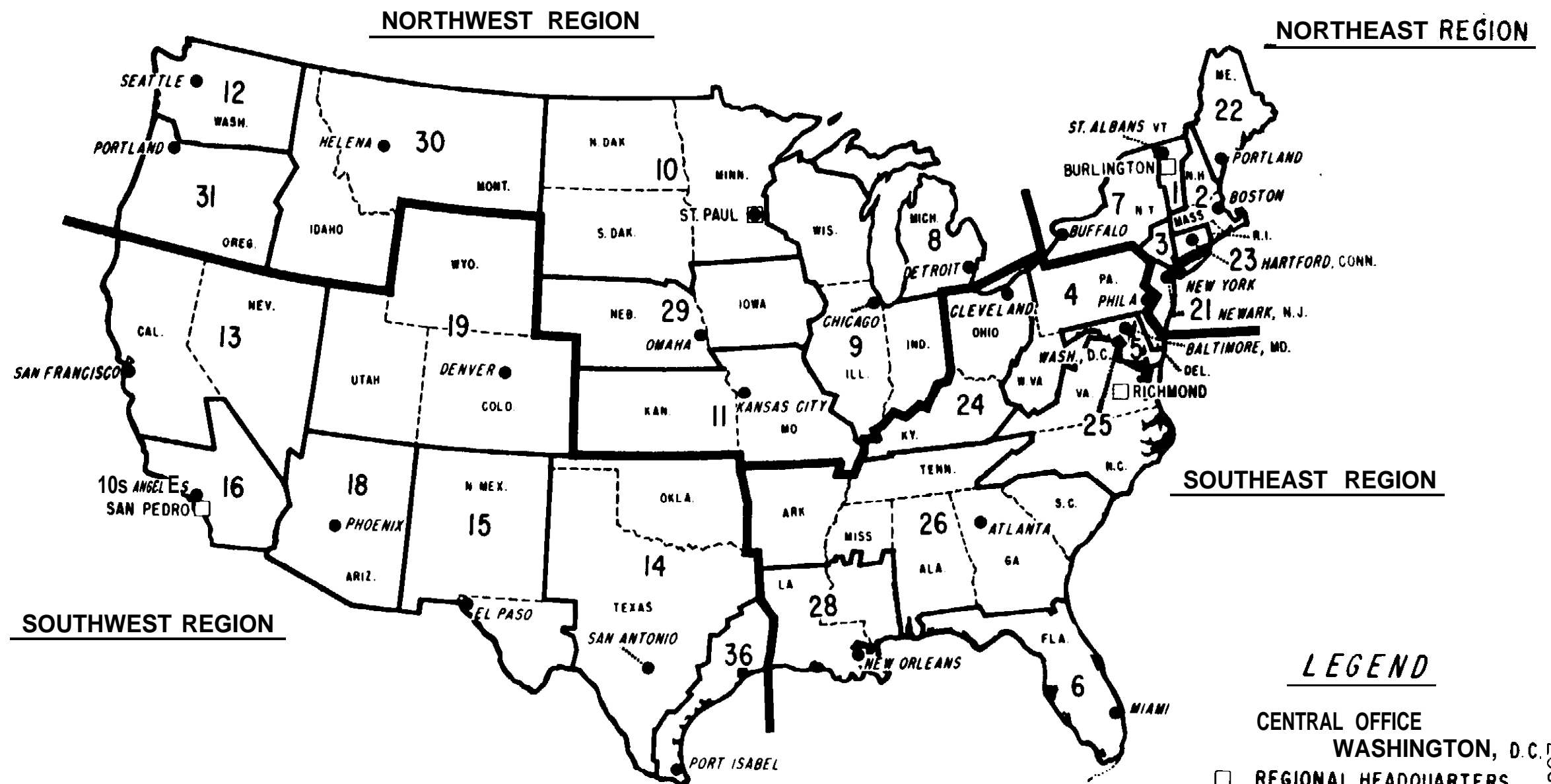
REPORT 1 NG DATA TO REQUESTS FOR POLITICAL ASYLUM OR
TEMPORARY REFUGE

Relay as available. Report of initial request will not be delayed pending complete development of data.

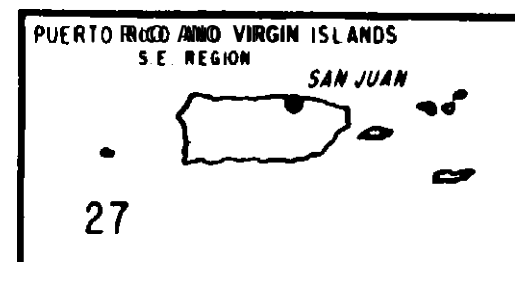
1. Name and nationality of the individual seeking asylum (or temporary refuge) .
2. Date, place of birth, and occupation.
3. Description of any documentation in his possession.
4. What foreign authorities are aware of his seeking asylum (or temporary refuge); whether any foreign authorities will be notified of the request.
5. Circumstances surrounding the request for asylum (refuge) .
6. Exact location. If aboard vessel or aircraft, ETA at next intended port or airport.
7. Reason for claiming asylum or temporary refuge.
8. Description of any criminal charges known or alleged to be pending against the asylum seeker. Indicate also if any piracy at sea, air piracy or hijacking background.
9. Any Communist Party affiliation or affiliation with other political party; any government office now held or previously occupied.
10. If applicable, whether a field office of the U.S. Immigration and Naturalization Service (INS) has been notified and if arrangements have been made to transfer case to INS.
11. Other pertinent information.



IMMIGRATION AND NATURALIZATION SERVICE REGIONAL AND DISTRICT AREAS



- 33 MANILA, THE PHILIPPINES
- 34 FRANKFURT, GERMANY
- 35 MEXICO CITY, MEXICO
- 37 ROME, ITALY



LEGEND

- CENTRAL OFFICE
WASHINGTON, D.C.
- REGIONAL HEADQUARTERS
- DISTRICT HEADQUARTERS
- 2 DISTRICT NUMBER
- REGIONAL BOUNDARY LINE
- DISTRICT "

REGIONAL AND DISTRICT OFFICE LOCATIONS

Regional Offices		District Offices		District Offices		District Offices	
NE Region (BUR)	Burlington, Vermont 05401 Federal Building	District 24 (CLE)	Cleveland, Ohio 44199 Rm. 1917 Federal Office Building 1240 East 2rh St.	District 3 (NYC)	New York, New York 10007 20 West Broadway	District 12 (SEA)	Seattle, Washington 98134 81S Airport Way, South
NW Region (STP)	Federal Building Fort Snelling Twin Cities, Minn. 55111	District 19 (DEN)	Denver, Colorado 60202 17027 Federal Office Building	District 29 (OMA)	Omaha, Nebraska 66102 New Federal Building 215 North 17th Street	District 25 (WAS)	Washington, D.C. 20536 102S Vermont Ave., N.W.
SE Region (RIC)	Richmond, Virginia 23240 Federal Bldg., Room S22S 400 North 8th Street	District 8 (DET)	Detroit, Michigan 46207 Federal Building 333 Mt. Elliott St.	District 4 (PHI)	Philadelphia, Pa. 19102 128 North Broad Street	District Offices in Foreign Countries	
SW Region (SPD)	San Pedro, California 90731 Terminal Island	District 15 (ELP)	El Paso, Texas 79664 3-43 US. Courthouse	District 18 (PHO)	Phoenix, Arizona 8502S 230 North First Avenue	District 34 (FKG)	Frankfurt, Germany District Director U.S. Immigration and Naturalization Service c/o American Consulate General, "Box 12, APO New York, N.Y. 09757
District Offices		District 23 (HAR)	Hartford, Connecticut 06101 13S High Street	District 22 (POM)	Portland, Maine 04112 319 U.S. Courthouse	District 33 (MAP)	Manila, Philippines District Director U.S. Immigration and Naturalization Service c/o American Embassy, APO San Francisco, California 96528
District 32 (ANC)	Anchorage, Alaska 96601 U.S. Post Office & Courthouse Bldg., Room 143, Box 939	District 30 (HEL)	Helena, Montana 59601 Federal Building	District 31 (POO)	Portland, Oregon 97205 333 U.S. Courthouse Broadway & Main Streets	District 35 (MEX)	Mexico City, Mexico District Director U.S. Immigration and Naturalization Service c/o American Embassy, Paseo De La Reforma 306 Mexico, D.F., Mexico
District 28 (ATL)	Atlanta, Georgia 30309 Rm. 370, 1280 W. Peachtree St. N.W., 11	District 17 (HHW)	Honolulu, Hawaii 96609 595 Ala Moana Boulevard	District 1 (STA)	Sr. Albans, Vermont 03478 Federal Bldg., P. O. Box 591	District 37 (RIT)	Rome, Italy U.S. Immigration And Naturalization Service c/o American Embassy APO New York, N.Y. 09794
District 6 (BAL)	Baltimore, Maryland 21201 Room 124 Federal Bldg. 31 Hopkins Plaza	District 16 (LOS)	Los Angeles, California 60012 300 North Los Angeles Street	District 10 (SPM)	St. Paul, Minnesota 55101 932 New Post Office Bldg. 180 E. Kellogg Blvd.		
District 2 (BOS)	Boston, Massachusetts 02203 John Fitzgerald Kennedy Federal Bldg., Government Center	District 6 (MIA)	Miami, Florida 33130 Room 1402 Federal Building 51 S.W. First Ave.	District 14 (SNA)	San Antonio, Texas 76206 U.S. Post office & Courthouse		
District 7 (BUF)	Buffalo, New York 14202 6S Court Street	District 21 (NEW)	Newark, New Jersey 07102 970 Broad Street	District 13 (SFR)	San Francisco, Calif. 94111 Appraisers Building 630 Sansome Street		
District 9 (CHI)	Chicago, Illinois 60604 Courthouse & Federal Office Bldg. 219 South Dearborn St.	District 28 (NOL)	New Orleans, Louisiana 70113 New Federal Building 701 Loyola Avenue	District 27 (SAJ)	San Juan, P.R. Pan Am Building 255 Ponce de Leon Corner Bolivia St. Hato Rey, P.R. 00911		

OTHER OFFICES FROM WHICH INFORMATION CONCERNING IMMIGRATION AND NATURALIZATION SERVICE MATTERS MAY BE OBTAINED:

Agana, Guam 96910 U.S. Immigration and Naturalization Service	Hammond, Indiana 46320 411 Federal Building 507 State Street	Norfolk, Virginia 23510 426 Post Office Building	St. Louis, Missouri 63101 Room 423, U.S. Courthouse • bi Customhouse, 1114 Market Street
Albany, New York 12201 Room 442, Post Office Bldg. PA Box 1619	Houston, Texas 77061 Federal Building U.S. Courthouse 515 Rusk Avenue, P.O. Box 61639	Pittsburgh, Pennsylvania 15222 2130 Federal Building 1000 Liberty Avenue	Salt Lake City, Utah 64111 Room 4103 Federal Building 325 South State Street
Cincinnati, Ohio 45201 U.S. Post Office and Courthouse P.O. Box 637	Memphis, Tennessee 38103 S14 Federal Office Bldg. 167 North Main Street	Providence, Rhode Island 02903 Federal Building, U.S. Courthouse Exchange Place	San Diego, California 92104 2222 El Cajon Blvd.
Dallas, Texas 75201 60S Mayflower Bldg. 411 North Akard Street	Milwaukee, Wisconsin 53202 326 Federal Building 517 East Wisconsin Avenue	Rem. Nevada 89605 Federal Building, U.S. Courthouse Room 1010, 300 Booth Street	Spokane, Washington 99201 691 U.S. Courthouse Bldg.